

REMARKS/ARGUMENTS

In the Office Action of November 14, 2007 Claims 1-19 are rejected under 35 U.S.C. 103(a) as being obvious based on the Brown reference (U.S. Patent Application Publication Number 2005/0190,199) and Chen reference (U.S. Patent 7,215,782). Applicant respectfully traverses this rejection.

The Brown reference was published September 1, 2005. Applicant's filing date was September 23, 2004. The Brown reference is therefore not an appropriate prior art reference under 35 U.S.C. 103(a) to Applicant's application. The Chen reference was published as U.S. Patent Application Publication Number 2006/0120,533 on June 8, 2006. The Chen reference is therefore not an appropriate prior art reference under 35 U.S.C. 103(a) to Applicant's application.

Applicant has reviewed the parent and related applications to the Brown and Chen references. The Brown parent applications, 10/028,809 and 10/247,605 (US Patents 6,791,568 and 7,212,213 respectively) are directed to different inventions and do not contain the disclosure used in the rejection. The Brown provisional reference, 60/532,413, was not public information until publication of the Brown reference and therefore is not an appropriate prior art reference under 35 U.S.C. 103(a). The Chen reference parent application, 09/082,264 (US Patent 6,990,205) was not published until the patent issued on May 8, 2007 and therefore is not an appropriate prior art reference under 35 U.S.C. 103(a). The rejection of applicant's claims in the Office Action is therefore improper.

Applicant has shown that the claim rejection is improper and the claims are allowable claims, and that action is respectfully requested.

Respectfully submitted:

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